Compliance Assurance Annual Report 2006-2007

Alberta Environment

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Executive Summary

The Government of Alberta is committed to a vision of a vibrant and prosperous province where Albertans enjoy a superior quality of life and are confident about the future for themselves and their children. Safe and adequate supplies of water, clean air and land, together with healthy, dynamic communities are the foundations of a high quality of life.

All Albertans share responsibility for stewardship of the environment. As part of its mandate, Alberta Environment is responsible for working with Albertans to assure that environmental quality is maintained. An effective and efficient regulatory framework, or set of "rules", is a fundamental component in achieving this goal. The Compliance Assurance programs of the department are based on a balanced approach using three main components: *Education, Prevention and Enforcement*. Alberta Environment is committed to measuring and reporting on the effectiveness of compliance assurance programs and activities. This report presents the compliance and enforcement activities for the 2006-2007 fiscal year.

A Five-Year Prevention Plan was created by Department staff in 2006 as a means of identifying the need for inspection of facilities and activities regulated by the *Environmental Protection and Enhancement Act* and the *Water Act*. This Five-Year Prevention Plan will be updated annually in consideration of factors such as evolving strategic priorities, changes in risk identified and the knowledge obtained through the use of Key Performance Indicators. These factors will determine the frequency and intensity of the prevention strategy employed.

Based on the new Five-Year Prevention Plan, Department staff continued to plan and carry out educational sweeps programs. The sweeps programs are focused on specific industries, sectors or geographic areas. They emphasize increasing awareness and the prevention of problems which could result in harm to the environment. Staff also carried out 617 proactive inspections during the reporting period, including unannounced site or field inspections and unannounced audits to verify that methods and procedures met Alberta Environment's quality control and quality assurance standards. Overall, these proactive compliance initiatives showed a high rate of compliance across all regulatory areas administered by the department.

A total of 12 charges were concluded in 2006-2007 resulting in total fines of $427,500. Alberta Environment also assessed $168,500 for 12 administrative penalties for less serious regulatory offences. Fourteen orders and 68 written warnings were issued during this period to compel parties to meet regulatory standards.

Other highlights from 2006-2007 include:

- 14,876 calls to Alberta Environment, including calls to the toll-free, 24-hour emergency hotline, about possible environmental concerns or infractions;
- a continued emphasis on ensuring the safety of drinking water supplies, with surface water facilities inspected every year, groundwater facilities inspected every 2 years, and distribution systems also inspected every 2 years;
- continued work on key performance indicators; and
- participation at a range of education and awareness sessions with stakeholders and the public.

INTRODUCTION

Alberta Environment's Compliance Assurance programs are based on a balanced approach using three main components: *Education, Prevention and Enforcement*. Using this approach Alberta Environment works with Albertans to ensure that environmental quality is maintained, allowing all Albertans to enjoy a superior quality of life in a vibrant and prosperous province.

Through *Education*, Alberta Environment works with the regulated community, other government agencies and the public to raise awareness of our shared responsibility and to ensure a clear understanding of the regulatory requirements under the environmental legislation of the province.

Prevention focuses on risk management – the ongoing need to identify possible risks to the environment and to take appropriate action. It means working with the regulated community, other government agencies and the public to find ways to achieve the environmental assurance outcomes that Albertans expect. Alberta Environment supports building capacity and willingness of the regulated community to comply and encourages regulated sectors to develop and implement continuous improvement approaches, best practices and innovation aimed at compliance assurance and performance that goes beyond required compliance.

While Alberta Environment is confident high rates of compliance will continue to be achieved through continued use of compliance assurance programs focused on education and prevention, all regulatory systems must have an effective *Enforcement* component that serves as a "backstop" for the system. Those who do not comply with regulatory requirements will be held accountable for the effects of their actions on the environment. The objectives of the enforcement component of compliance assurance are to: provide firm but fair enforcement; provide enforcement in a timely and consistent manner; and to base enforcement actions on a "polluter pays" philosophy.

Alberta Environment is committed to measuring and reporting on the effectiveness of compliance assurance programs and activities. This report presents the compliance and enforcement activities for the 2006-2007 fiscal year.

Compliance Assurance Goal

Develop an attitude of stewardship and environmental awareness in the public and regulated community through a sound compliance assurance program. The measure of success will be compliance with the laws and regulations under the mandate of Alberta Environment.

1.0 EDUCATION AND PREVENTION

1.1 Educational Sweep Programs

Alberta Environment plans and conducts annual education and inspection programs, also known as sweep programs, which focus on a geographic area or industry. These focused efforts give Alberta Environment an opportunity to work together with local businesses to ensure they understand Alberta's environmental laws and their purposes, provide information on how to comply with the law, and the consequences of non-compliance.

These programs have two parts:

- Specific, detailed information about regulations and requirements are sent to targeted businesses.
- Unannounced inspections are done to ensure businesses are following the requirements.

This effort produces several important results:

- All businesses within a specific sector or geographic area receive the same information from Alberta Environment about environmental responsibility.
- Non-compliance can be identified and corrected cooperatively, if this is an appropriate option.
- Overt acts of non-compliance can be addressed using a variety of enforcement tools.

Often these activities are carried out in cooperation with other regulatory agencies such as municipal bylaw officers, fire prevention officers, and other agencies that have a vested interest in the activities of the business sector being focused on.

In 2006-2007, Alberta Environment conducted a number of sweeps programs summarized in the following table.

Table 1 Summary of Sweep Programs
April 1, 2006 to March 31, 2007

Region	Sweep Description	Description	Summary of Results
Northern Region			
Clover Bar Industrial Park	**Purpose:** To re-inspect 10 businesses that were found in non-compliance during a 2003 sweep.	**Focus:** Hazardous Waste / Hazardous Recyclable Management **Area Covered:** Clover Bar Industrial Park, Edmonton **No. of Facilities Inspected:**	2 Notices of Non-Compliance Issued
Swann Hills Industrial Area	**Purpose:** Educate businesses within the Swann Hills Industrial Area about their responsibilities under the Waste Control Regulation and the *Environmental Protection and Enhancement Act*.	**Focus:** Hazardous Waste / Hazardous Recyclable Management **Area Covered:** Swann Hills Industrial Area **No. of Facilities Inspected:** 22	21 Notices of Non-Compliance Issued
Grand Cache Industrial Area	**Purpose:** Educate businesses within the Grand Cache Industrial Area about their responsibilities under the Waste Control Regulation and the *Environmental Protection and Enhancement Act*.	**Focus:** Hazardous Waste / Hazardous Recyclable Management **Area Covered:** Grand Cache Industrial Area **No. of Facilities Inspected:** 25	13 Notices of Non-Compliance Issued
Central Region			
Operation Alabaster Pursuit	**Purpose:** Educate Whitecourt businesses that are located within the Athabasca flood plain of their role/responsibility in the protection of the Environment and to raise the profile of the proactive inspection program in the Whitecourt area.	**Focus:** Hazardous Waste / Hazardous Recyclable Management; Sump Management Practices **Area Covered:** Whitecourt **No. of Facilities Inspected:** 38	22 Verbal Warnings 1 Notice of Non-Compliance Issued 1 Warning Letter Issued Additionally, 3 companies that were found to be filling in a wetland were required to work with Ducks Unlimited Reclamation Program to provide funds for alternate wetland areas.
Southern Region			
City of Brooks	**Purpose:** Educate businesses within the industrial and commercial areas of the city about their responsibilities under the Waste Control Regulation and the *Environmental Protection and Enhancement Act*.	**Focus:** Hazardous Waste / Hazardous Recyclable Management **Area Covered:** Industrial and commercial areas within the City of Brooks **Partners:** Alberta Transportation: Dangerous Goods; Medicine Hat Bylaw **No. of Facilities Inspected:** 60	32 Notices of Non-Compliance Issued
City of Medicine Hat	**Purpose:** Educate businesses within the industrial and commercial areas of the city about their responsibilities under the Waste Control Regulation and the *Environmental Protection and Enhancement Act*.	**Focus:** Hazardous Waste / Hazardous Recyclable Management **Area Covered:** Brier Park, City of Medicine Hat **Partners:** Alberta Transportation: Dangerous Goods **No. of Facilities Inspected:** 35	26 Notices of Non-Compliance Issued

1.2 Compliance Assurance Website and other Educational Tools

Education and Awareness Sessions

Alberta Environment Compliance Assurance staff participated in a range of education and awareness sessions across the province over the year including taking part in stakeholder and public meetings, making presentations to groups, providing information through displays at public events, and delivering training courses.

Compliance Assurance Principles and Program

The *Compliance Assurance Principles and Program* publication, completed in 2005, updates the original publication released in June 2000. It describes the business of Compliance Assurance at Alberta Environment, setting out the goals, core principles and supporting policies of the department in this area. It also provides a detailed program guide. Additional information on compliance assurance programs and activities can also be found on the Alberta Environment website at:
http://www3.gov.ab.ca/env/protenf/compliance/index.html

Internal Compliance Website

The internal Compliance Assurance Website was launched in late summer 2005 and has since grown to be an important information hub for staff. This information sharing supports innovation and development of new approaches. It also helps to ensure efficiency and consistency in compliance assurance across the province.

1.3 Proactive Inspections and Audits

Alberta Environment regulates a wide range of industrial facilities under the *Environmental Protection and Enhancement Act* and the *Water Act*. This is most commonly done through conditions set out in licences, approvals and codes of practice.

Under the Compliance Inspection Program, Alberta Environment conducts compliance assessments – proactive, unannounced inspections and audits to verify regulated facilities meet the conditions of their licences, approvals or registrations. Most non-compliance identified through these assessments is minor in nature and has little or no potential for environmental impact. Significant non-compliance identified may result in enforcement action.

In 2006 the Compliance Team implemented a Five-Year Prevention Plan to focus on the wide range of facilities and activities regulated by the *Environmental Protection and Enhancement Act* and the *Water Act*. Updated annually, this plan takes in to consideration the risk level of the activity, allowing for more regular inspections of higher risk facilities. Additionally, in 2006 Alberta Environment moved from regional based targets to province wide targets. This ensures that in areas of the province where high risk facilities are located close together geographically, staff from the entire province work toward completing the inspection targets regardless of regional boundaries.

Compliance assessments focus on high risk industry sectors, ensuring that a sample of each regulated community is assessed over the long term. These assessments are based on several criteria including:

- risk to the environment from a particular activity/operation;
- compliance history of the regulated parties associated with the activity/operation;
- trends and emerging issues determined from strategic analysis; and
- established goals about the number and types of assessments to be conducted annually.

For the 2006-2007 reporting period, the targets included inspecting 100% of surface water facilities, 50% of groundwater facilities and 50% of distribution systems, 10% of industrial facilities, 100% of mines and 10% of landfills. Pesticide facilities, compost facilities, pits, and municipal wastewater treatment plants were inspected on a reactive basis only as needed. *Water Act* inspections were targeted for 60 inspections per region.

Table 2 Compliance Inspection Statistics
April 1, 2006 to March 31, 2007

Compliance Inspections	Total # of Facilities	Inspection Target	Inspections Completed
Environmental Protection and Enhancement Act			
Industrial Facilities			
Approved	686	Inspect 10%	90
Registered	640	Inspect 10%	62
Municipal Treatment Plants			
Surface Water	200	Inspect 100%	201
Ground Water	202	Inspect 50%	103
Regional Distribution	105	Inspect 50%	50
Municipal Wastewater Treatment Plants			
Mechanical	74	Reactive	7
Lagoons	419	Reactive	2
Regional Collection	36	Reactive	1
Solid Waste Management Facilities			
Class 1 and 2 Landfills	35	Inspect 10%	7
Class 3 Landfills and Transfer Stations	178	Reactive	9
Compost Facilities	28	Reactive	0
Pesticide Facilities			
Wholesale Vendors	63	Reactive	0
Domestic Retail Vendors	392	Reactive	0
Commercial Retail Vendors	357	Reactive	0
Service Applicators	875	Reactive	9
Conservation and Reclamation Operations			
Pits	0	Reactive	0
Mines	14	100%	1
Total EPEA	**4304**		**533**

Water Act		
Approved Activities	Inspect 60 per Region	30
Licenced Activities	Inspect via Sweep	32
Codes of Practice	Inspect via Sweep	52
Total WA		**114**

Total Inspections	**4304**	**617**

1.4 Upstream Oil and Gas Reclamation and Remediation Program

As a result of continued growth in Alberta's oil and gas sector and in order to improve Alberta Environment's ability to effectively manage remediation and reclamation, the Upstream Oil and Gas Reclamation Program changed October 1, 2003.

The program, which applies to all upstream oil and gas facilities including well sites, batteries and pipelines on private and public lands, shifted the inquiry process from a formal, onsite inspection to a thorough administrative and technical review of industry certification applications, complemented by random field audits and an enhanced complaint process.

The 2006-2007 year was the third year of this program. The following table provides details on the activities within the program from April 1, 2006, to March 31, 2007.

Table 3 Reclamation and Remediation Certificate Program
April 1, 2006 to March 31, 2007

	Total Applications Received	*Withdrawn*	*Refusal to Accept*	*Certificate Issued*
Central	479	9	21	356
Northern	351	4	12	218
Southern	414	7	18	412
Total	**1244**	**20**	**51**	**986**

The following table provides the audit results for approved reclamation certificates. Six certificates were cancelled as a result of deficiencies identified by the audits.

Table 4 Reclamation and Remediation Audit Program
April 1, 2006 to March 31, 2007

	Surface Audit (SA)	*Sub-Surface (Contamination) Audit (CA)*	*Certificate Upheld*		*Pending*		*Certificate Cancelled*	
			SA	**CA**	**SA**	**CA**	**SA**	**CA**
Central	35	19	33	12	0	5	2	2
Northern	23	13	20	9	3	0	0	4
Southern	29	16	28	15	1	1	0	0
Total	**87**	**48**	**81**	**36**	**4**	**6**	**2**	**6**

1.5 Key Performance Indicators

Alberta Environment makes an ongoing effort to maximize the achievement of program goals and continuously improve programs. This is done by constantly reviewing the use of key performance indicators (KPIs) which are a tool used to collect a wide range of data that assists in the development of quantifiable measures (performance measures) to define and indicate progress toward achieving the Department's goals. KPIs provide a means of measuring, tracking and trending key aspects of activities such as sweeps, audits, inspections, plus enforcement and education activities. KPIs are part of an overall Performance Management System.

During 2006-2007 fiscal year KPI data was used to refine the proactive inspection targets for the upcoming fiscal year. Additionally, KPIs were reviewed and those used for drinking water, conservation and reclamation programs, and hazardous waste sweeps were all refined to meet the needs of the program. Opportunity to expand the use of KPIs was also examined.

In our ongoing effort to maximize the achievement of our program goals and continuously improve our programs, we continue to review our use of key performance indicators (KPIs). KPIs are a tool used to collect a wide range of data and develop quantifiable measures (performance measures) to define and indicate progress toward achieving our goals. This tool provides a means of measuring, tracking and trending key aspects of activities such as sweeps, audits, inspections, plus enforcement and education activities. KPI's are part of continuous improvement processes. They reflect critical information we need, to know we are making progress in the right direction toward the goals we have set. KPI's are part of an overall Performance Management system.

During 2006-2007 fiscal year KPI data was used to refine the proactive inspection targets for the upcoming fiscal year. We also continued to refine our use of KPIs. We refined the KPIs we use for our drinking water, and conservation and reclamation programs, and our hazardous waste sweeps. We also reviewed opportunities to expand our use of KPIs.

2.0 CALL RESPONSE

Alberta Environment's Environmental Response Centre operates a toll free, 24-hour environmental "hotline" that allows Albertans to contact the department whenever they have concerns about possible environmental infractions or potential environmental emergencies. The centre also operates an industry reporting line that allows industry to report releases or contraventions of environmental legislation.

In an effort to provide "one window" reporting of potential environmental infractions, the Environmental Response Centre also accepts calls for Environment Canada regarding the *Canadian Environment Protection Act* and the federal *Fisheries Act*, the Natural Resources Conservation Board (NRCB) regarding the *Agricultural Operations Practices Act* and the Energy and Utilities Board (EUB) regarding the *Energy and Utilities Board Act*.

Between April 1, 2006 and March 31, 2007 staff handled a total of 14,876 calls. Further information on these calls is shown in the following charts.

Figure 1 Number of Calls Taken by Region

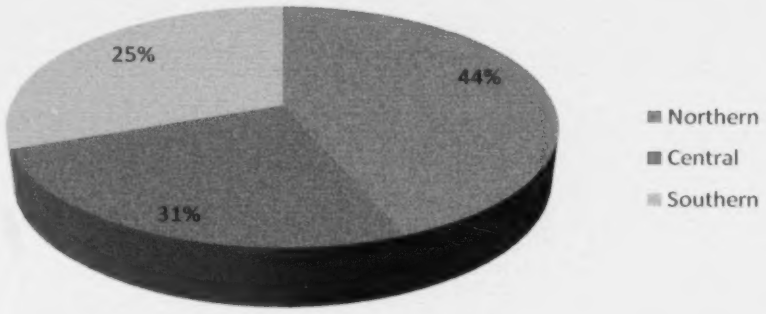


Figure 2 Type of Calls Received

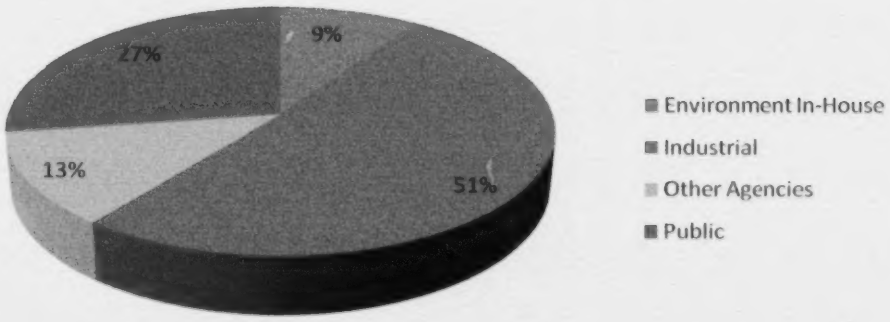


Figure 3 Call Reason

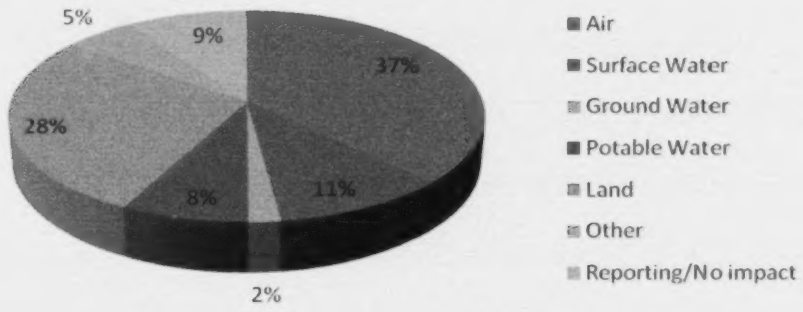
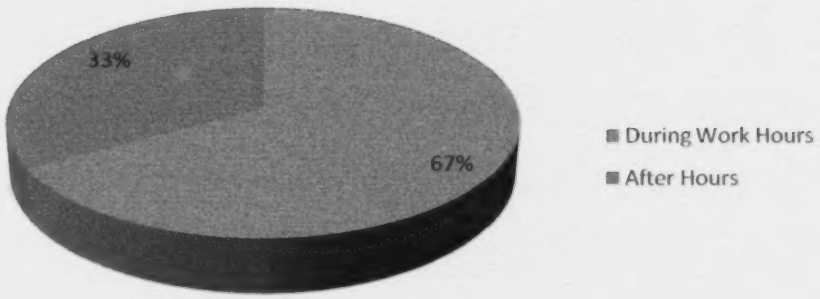


Figure 4 Time Calls Taken



3.0 ENFORCEMENT

Those who do not comply with Alberta's environmental laws and regulations are held responsible for the effects of their actions on the environment. Every suspected violation that comes to the attention of Alberta Environment is assessed and responded to in an appropriate and timely manner.

3.1 Prosecutions

All legislation enforced by Alberta Environment includes provision for prosecution.

Convictions

During the 2006-2007 fiscal year, a total of 8 charges for infractions of legislation administered by Alberta Environment were concluded, resulting in fines totaling $427,115 including:

- 3 convictions for offences under the *Environmental Protection and Enhancement Act*, resulting in $427,000 in penalties; and
- 1 summary conviction under the *Environmental Protection and Enhancement Act*, resulting in a further $115 in penalties from an issued ticket.

These penalty amounts include creative sentencing amounts and reflect the cash-value equivalent of the creative sentence. Alberta Environment supports and promotes the use of creative sentencing to make penalties more meaningful and result in clear benefits for the environment. Under the *Environmental Protection and Enhancement Act*, Creative Sentencing Orders have been an option in Alberta since 1993.

3.2 Administrative Penalties

An administrative penalty is a monetary penalty issued in response to an incidence of non-compliance. One Administrative Penalty can address a number of violations by a regulated party.

In 2006-2007 a total of 12 administrative penalties were issued under legislation administered by Alberta Environment, including:

- 9 administrative penalties issued under the *Environmental Protection and Enhancement Act*, resulting in $161,500 in penalty assessments;
- 1 administrative penalty issued under the *Substance Release Regulation*, resulting in $3,000 in penalty assessments;
- 1 administrative penalty issued under the *Waste Control Regulation*, resulting in $1,500 in penalty assessments; and
- 1 administrative penalty issued under the *Water Act*, resulting in $2,500 in penalty assessments.

3.3 Orders

Orders are used to compel a regulated party to remedy a contravention and, where appropriate, to require actions to prevent future contraventions.

In 2006-2007 a total of 14 orders were issued under legislation administered by Alberta Environment, including:

- 11 Orders issued under the *Environmental Protection and Enhancement Act*
  - 1 Enforcement Order
  - 1 Enforcement Orders for Waste
  - 9 Environmental Protection Orders

- 3 Enforcement Orders issued under the *Water Act*
  - 3 Enforcement Orders

Amendments to orders may occur to reflect changes in the status of the order and/or the investigation. In 2006-2007 one Enforcement Order was amended twice, and three Environmental Protection Orders were each amended once.

3.4 Written Warnings

Written warnings are issued for minor contraventions or in situations where there is the potential for an adverse environmental effect. Warnings, normally given to first time offenders, are designed to be a deterrent, encourage voluntary compliance and create a formal record of an offence. Repeat non-compliance may lead to a more significant enforcement response.

In 2006-2007, a total of 68 written warnings were issued under the legislation administered by Alberta Environment.

3.5 Appeals

The *Environmental Protection and Enhancement* Act and the *Water Act* both have provisions for companies or individuals to appeal an order or administrative penalty to the Environmental Appeal Board, an independent tribunal established to hear appeals of certain Alberta Environment decisions. All prosecutions can be appealed to a higher court.

In 2006-2007, 4 orders were appealed.

Table 6 Enforcement Summary

LEGISLATION	Convictions	Penalty Amount	Appeal of Sentence	Creative Sentencing Orders	Written Warnings	Admin Penalties Assessed	Admin Penalties Assessed Value	Appeal of Admin Penalties	Orders	Appeal of Orders
***Environmental Protection and Enhancement Act (EPEA)* and Regulations**										
EPEA	3	$427,000		3	42	9	$161,000		11	4
Summary Conviction EPEA	1	$115								
Ozone Depleting Substances and Halocarbons Regulation					1					
Pesticide Sales, Handling, Use and Application Regulation					5					
Substance Release Regulation						1	$3,000			
Waste Control Regulation					1	1	$1,500			
SUB TOTAL EPEA	**4**	**$427,115**		**3**	**49**	**11**	**$166,000**		**11**	**4**
***Water Act* and Regulations**										
Water Act					17	1	$2,500		3	
Water (Ministerial) Regulation					2					
SUB TOTAL WA					**19**	**1**	**$2,500**		**3**	
Other Legislation										
Criminal Code of Canada										
SUB TOTAL OTHER LEGISLATION										
TOTAL ENFORCEMENT	**4**	**$427,115**		**3**	**68**	**12**	**$168,500**		**14**	**4**

TOTAL MONETARY PENALTIES

$427,115 for convictions
$168,500 for administrative penalties

4.0 APPENDICES

4.1 Regional Offices

NORTHERN REGION
Edmonton
#111, Twin Atria Building
4999-98 Avenue
Edmonton, Alberta T6B 2X3
Tel: 780-427-7617
Fax: 780-427-7824

CENTRAL REGION
Red Deer
#304, Provincial Building
4920-51 Street
Red Deer, Alberta T4N 6K8
Tel: 403-340-7052
Fax: 403-340-5022

SOUTHERN REGION
Calgary
Deerfoot Square Building
2938-11 Street NE
Calgary, Alberta T2E 7L7
Tel: 403-297-7880
Fax: 403-297-6069

To contact your local Alberta Environment office, call the regional office nearest you or dial 310-0000.

4.2 Acts, Regulations & Codes of Practice Administered by Alberta Environment

Environmental Protection and Enhancement Act

- *Activities Designation Regulation*
- *Administrative Penalty Regulation*
- *Approvals and Registrations Procedure Regulation*
- *Beverage Container Recycling Regulation*
- *Conservation Easement Registration Regulation*
- *Conservation and Reclamation Regulation*
- *Designated Material Recycling and Management Regulation*
- *Disclosure of Information Regulation*
- *Electronics Designation Regulation*
- *Emissions Trading Regulation*
- *Environmental Appeal Board Regulation*
- *Environmental Assessment Regulation*
- *Environmental Assessment (Mandatory and Exempted Activities) Regulation*
- *Environmental Protection & Enhancement (Miscellaneous) Regulation*
- *Forest Resources Improvement Regulation*
- *Lubricating Oil Material Environmental Handling Charge Bylaw*
- *Lubricating Oil Material Recycling and Management Bylaw*
- *Mercury Emissions from Coal-fired Power Plants Regulation*
- *Ozone-Depleting Substances and Halocarbons Regulation*
- *Pesticide (Ministerial) Regulation*
- *Pesticide Sales, Handling, Use and Application Regulation*
- *Potable Water Regulation*
- *Release Reporting Regulation*
- *Substance Release Regulation*
- *Tire Designation Regulation*
- *Waste Control Regulation*
- *Wastewater and Storm Drainage Regulation*
- *Wastewater and Storm Drainage (Ministerial) Regulation*
- *Code of Practice for Asphalt Paving Plants*
- *Code of Practice for Concrete Producing Plants*
- *Code of Practice for Compost Facilities*
- *Code of Practice for Compressor and Pumping Stations and Sweet Gas Processing Plants*
- *Code of Practice for Energy Recovery*
- *Code of Practice for Exploration Operations*
- *Code of Practice for Forage Drying Facilities*
- *Code of Practice for Foundries*
- *Code of Practice for Landfills*
- *Code of Practice for Hydrologic Tracing Analysis Studies*
- *Code of Practice for Land Treatment of Soil Containing Hydrocarbons*
- *Code of Practice for Pesticides*
- *Code of Practice for Pits*

- *Code of Practice for the Release of Hydrostatic Test Water from Hydrostatic Testing of Petroleum Liquid and Gas Pipelines*
- *Code of Practice for Sawmill Plants*
- *Code of Practice for Small Incinerators*
- *Code of Practice for Tanker Truck Washing Facilities*
- *Code of Practice for a Waterworks System Consisting Solely of a Water Distribution System*
- *Code of Practice for Wastewater Systems Consisting Solely of a Wastewater Collection System*
- *Code of Practice for Wastewater Systems Using a Wastewater Lagoon*
- *Code of Practice for Waterworks Systems Using High Quality Groundwater*

Water Act

- *Oldman River Basin Water Allocation Order*
- *South Saskatchewan Basin Water Allocation Regulation*
- *Water (Ministerial) Regulation*
- *Water (Offences and Penalties) Regulation*
- *Code of Practice for Outfall Structures on Water Bodies*
- *Code of Practice for Pipelines and Telecommunication Lines Crossing a Water Body*
- *Code of Practice for the Temporary Diversion of Water for Hydrostatic Testing of Pipelines*
- *Code of Practice for Watercourse Crossings*

Climate Change and Emissions Management Act

- *Administrative Penalty Regulation*
- *Alberta-based Offset Credit System Regulation*
- *Specified Gas Emitters Regulation*
- *Specified Gas Reporting Regulation*

Other Legislation that Alberta Environment works in conjunction with:

- *Agricultural Operation Practices Act*
- *Canadian Environmental Protection Act*
- *Criminal Code of Canada*
- *Dangerous Goods Transportation and Handling Act*
- *Energy and Utilities Board Act*
- *Fisheries Act*
- *Health Act*
- *Migratory Birds Convention Act*
- *Natural Resources Conservation Board Act*
- *Occupational Health and Safety Act*
- *Peace Officer Act*
- *Pest Control Products Act*
- *Pest Control Products Regulation*
- *Provincial Offences Procedures Act*
- *Traffic Safety Act*
- *Transportation of Dangerous Goods Act*

4.3 Glossary

Administrative Penalty	An enforcement tool under the *Environmental Protection and Enhancement Act* used to correct an inappropriate action, practice or behaviour. As such, Administrative Penalties may be considered an educational tool that is reinforced with a penalty.
Appeal	Appeal of an administrative enforcement response (order, administrative penalty, etc.) to an independent body or of a prosecution to a higher level court.
Audit	A site or field examination to verify that methods and procedures for data gathering and/or collection of samples meet all quality assurance/quality control criteria.
Charge	"...an accusation of a crime by a formal complaint (includes violation ticket), information or indictment" (Black's Law Dictionary)
Charges Laid	All charges laid during the reporting year.
Compliance	The state of conformity with the law.
Compliance Assessment	An activity undertaken to determine whether a regulated party's activity or operation complies with a statute, regulation, authorization or code of practice (these include inspections, reviews and audits/sample events).
Convictions	All charges resulting in a conviction during the reporting year.
Creative Sentencing	A form of penalty that may be issued by the sentencing court after a conviction. They are typically imposed along with a fine and do not diminish the total value of the overall penalty imposed. They are intended to secure the offender's good conduct in a way that has a public benefit by having the offender undertake or direct money toward activities that are tied to the root cause or harm arising from the offense in question. Creative sentencing orders may direct the offender to fund specific research projects, undertake or fund identified education programs, or improve industry standards, among other things.

Enforcement Response	An official or legislated reaction to non-compliance by a regulated party. Alberta Environment's enforcement responses are designed to remedy, deter or punish.
Inspection	A site or field evaluation of a regulated activity to verify that specific requirements are being met. A specific check of compliance.
Notice of Non-Compliance	A field document issued to an individual or company outlining areas of non-compliance to encourage immediate action to come back into compliance.
Order	Used to compel a person to remedy a contravention and, as appropriate, to require actions to prevent future contraventions.
Regulated Community	All persons and entities regulated under legislation for which Alberta Environment is responsible.
Regulated Sector	A specific group or type of regulated party (e.g. the oil and gas sector)
Regulated Party	An individual entity regulated under legislation for which Alberta Environment is responsible.
Review	An assessment of compulsory monitoring reports, registrations, records and other required submissions for compliance with a statute, approval, code of practice or regulation.
Written Warning	A document used to deter a specific recipient and to create a record of the contravention.